

THE BERG LAW GROUP  
IRVING L. BERG (SBN 36273)  
433 Town Center, PMB 943  
Corte Madera, CA 94925  
(415) 924-0742  
(415) 891-8208 (Fax)

Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CARLOS A. GUZMAN, individually and on Case No.: C 06-0215 SC  
behalf of all others similarly situated,

Plaintiff,

v.

**NOTICE OF DISMISSAL  
WITHOUT PREJUDICE**

LAW OFFICES OF JOEL CARDIS, LLC,  
JOEL CARDIS, and JOHN DOE BRUNGART,  
individuals,

**ORDER**

TO: THE CLERK OF THE COURT

PLEASE TAKE NOTICE that the Plaintiff hereby dismisses this case, without prejudice, pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure. No class has been certified in this case, and therefore Rule 23(e) of the Federal Rules of Civil Procedure does not apply. Further, defendants have not served an answer or motion for summary judgment, and therefore, dismissal does not require a court order.

DATED: February 21, 2006

By: /s/ Irving L Berg  
IRVING L. BERG  
Attorney for Plaintiff

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